

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable Steven M. Vartabedian, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Kay Frauenholtz, Clerk/Administrator, by Anthony Lauria, Senior Deputy Clerk.

**F044611      San Joaquin Raptor/Wildlife v. Regents of the University of California**

Cause called and argued by Patience Milrod, Esq., counsel for appellant and by Matthew Gray, Esq., counsel for respondent.

Cause ordered submitted.

At this point Ardaiz, P.J. directs Vartabedian, J. to act as Presiding Justice in his absence, leaves the bench and is replaced by Harris, J.

**F043100      Jamison et al. v. Jamison**

Cause called and argued by Kenton Klassen, Esq., counsel for appellant and by Dale Blea, Esq., counsel for respondent.

Cause ordered submitted.

**F043236      Jamison et al. v. Jamison**

Cause called and argued by Kenton Klassen, Esq., counsel for appellant and by Dale Blea, Esq., counsel for appellant.

Cause ordered submitted.

Court recessed until 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable Steven M. Vartabedian, Associate Justice; Honorable Thomas A. Harris, Associate Justice; and Kay Frauenholtz, Clerk/Administrator, by Jill Rivera, Assistant Deputy Clerk.

**F044089      Caetano-Jungk et al. v. County of Tulare; Western Pacific Meat Packing**

Cause called and argued by Raymond Carlson, Esq., counsel for appellant and by Michael Spata, Esq., Deputy County Counsel, counsel for respondent and by John LaBrucherie, Esq., counsel for real party.

Cause ordered submitted.

Court recessed until Wednesday, December 8, 2004 at 10:00 A.M.

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**F045604      In re Christian B., a Minor**

**F045603      In re Justin N., a Minor**

The order is affirmed. Cornell, J.

We concur: Levy, Acting P.J.; Dawson, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F044471      People v. Rexelle**

Filed modification of opinion (no change in judgment). Buckley, J.

We concur: Dibiaso, Acting P.J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F044508      Church of God Evening Light Mission Trust, Inc. v. Pollock**

The judgment is affirmed and costs are awarded to respondent. Dawson, J.

We concur: Harris, Acting P.J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F044894      In re Edward G., a Minor**

The true finding on count 2 is reversed and the disposition imposed on that count is vacated. The judgment is affirmed in all other respects. Wiseman, J.

We concur: Vartabedian, Acting P.J.; Harris, J.

[CERTIFIED FOR PUBLICATION]

**F046069      People v. Ortega**

Appellant's motion to vacate the dismissal is granted. The appeal is reinstated. Appellant's opening brief is due on or before 30 days from the date of this order.

**F045621      People v. Mitchum**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F045621      People v. Mitchum**

The judgment is modified to strike the one-year prior prison term enhancement. In all other respects the judgment is affirmed. Because the abstract of judgment is correct as prepared, the trial court need not prepare a new abstract of judgment.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F044244      Scottsdale Indemnity Company v. Arnold**

The judgment is affirmed. Respondent is awarded costs on appeal. Dibiaso, Acting P.J.

We concur: Buckley, J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F044672      In re Bryan C., a Minor**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F044672      In re Bryan C., a Minor**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F045501      Gragnani v. The Superior Court of Merced County; Blas-B Corporation**

Real party in interest's petition for rehearing filed herein is denied.

**F045422      Gliberman et al. v. The Superior Court of Merced County; Blas-B Corporation**

Real party in interest's petition for rehearing filed herein is denied.